



THIS FORM IS BASED ON PTO/SB30 (09-00)

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/826,431
Filing Date	April 4, 2001
First Named Inventor	Cuomo
Group Art Unit	1641
Examiner Name	My-Chau T. Tran
Attorney Docket Number	5051-511

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which was established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

### a. ☒ Previously submitted

#### i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on September 10, 2002

(Any unentered amendment(s) referred to above will be entered).

#### ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

#### iii. ☐ Other \_\_\_\_\_

### b. ☒ Enclosed

#### i. ☐ Amendment/Reply

#### ii. ☐ Affidavit(s)/Declaration(s)

#### iii. ☐ Information Disclosure Statement (IDS)

#### iv. ☒ Other \_\_\_\_\_ Petition for Extension of Time \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0220

#### i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)

#### ii. ☐ Extension of time fee (37 C.F.R. § 1.136 and 1.17)

#### iii. ☐ Other \_\_\_\_\_

- b. ☒ Check in the amount of \$ 850.00 enclosed for RCE fee and Extension of Time fee.

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

- d. ☒ If necessary, the Director is hereby authorized to charge any deficiencies, or credit any overpayments, to Deposit Account No. 50-0220

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Laura M. Kelley	Registration No. (Attorney/Agent)	48,441
Signature	<i>Laura Kelley</i>	Date	November 8, 2002

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: November 8, 2002

Name (Print/Type)	Carey Gregory	Date	11/8/02
Signature	<i>Carey Gregory</i>		

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